
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution No. 05- 24

A resolution recommending that the Mariposa County Board of Supervisors approve Zoning Ordinance Amendment No. 05-121, modifying Title 17 of the County Code to prohibit the installation of mobile homes built prior to January, 1976.

WHEREAS on the 21st day of June, 2005, the Board of Supervisors adopted Resolution No. 05-279, a Resolution of Intention to initiate an amendment to Mariposa County Code, Title 17, Zoning, and directing the Planning Commission to consider and make a recommendation concerning pre-1976 mobile homes; and

WHEREAS, the adoption of Resolution No. 05-279 was based upon the presentations to the Board of Supervisors by the Mariposa County Fire Chief, Building Director and Planning Director on April 19th and June 21, 2005, and consideration of public input and discussion of the proposed ordinance and its implementation; and

WHEREAS the proposed ordinance is based on the National Manufactured Housing Construction and Safety Standards Act of 1974, adopted in June, 1976, which addresses the serious health and safety issues inherent in earlier mobile homes;

WHEREAS the fire incidence in pre-1976 mobile homes is significantly increased due to the use of materials that support quicker combustion of the whole unit in flashover conditions, which places Mariposa County residences and firefighters at a greater risk of injury or death; and

WHEREAS it has been verified that when newer units burn, fires stay contained within the room of origin for a longer period of time, giving occupants additional time to get to safety; and

WHEREAS a duly noticed public hearing concerning this matter has been scheduled for July 22, 2005 with the Planning Commission; and

WHEREAS a Notice of Exemption has been prepared pursuant to Sections 15061(b)3 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS the Planning Commission has held a public hearing on the proposed ordinance on July 22, 2005 and has carefully considered all the information in the public record and in the staff report, and comments made by members of the Mariposa County community who provided testimony before or during the public hearing.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt a resolution approving Zoning Amendment No. 05-121 with findings, directing planning staff to file a Notice of Exemption for the action pursuant to State of California CEQA Guidelines, and approving the Rental Disclosure Statement.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt an Ordinance, amending Title 17 of the Mariposa County Code by adding Section 17.108.095 prohibiting the installation of pre-1976 mobile homes, as follows:

Section 17.108.095 Pre-1976 Mobile Homes

A. Mobile homes manufactured prior to January 1976 shall be prohibited from being located into or relocated within Mariposa County unless they meet the seal standards of the United States Department of Housing and Urban Development or equivalent standards established by the California Department of Housing and Community Development.

B. Each mobile home shall be installed on a foundation or tie down system meeting the requirements of California law.

C. No mobile home of any age shall be used as an uninhabited storage structure.

D. A legal existing, nonconforming mobile home installed on a parcel in the county may remain on the parcel upon which it is installed and shall not be relocated to another parcel within the County of Mariposa.

E. No legal existing nonconforming mobile home may have a new addition or expansion which physically alters the structure of the mobile home.

F. Expansion of or an addition physically attached to a conforming mobile home shall meet the standards of the Uniform Building Code or shall obtain any required certificate issued by the California Department of Housing and Community Development, such that the expansion or addition does not compromise the original structural integrity of the mobile home.

G. Upon sale or rental of a mobile home manufactured prior to 1976, written notice shall be provided, in a prescribed form, to the new owner or tenant advising them of serious health and safety risks inherent in inhabiting such structures, unless the mobile home has been retrofitted to meet the seal standards of the United States Department of Housing and Urban Development or the equivalent standards established by the California Department of Housing and Community Development.

BE IT FINALLY RESOLVED THAT the recommended action is based upon substantial evidence in the public record and with the following findings;

1. Fire incidence in pre-1976 mobile homes is significantly increased due to the use of materials that support quicker combustion of the whole unit in flash over conditions, which places Mariposa County residences and firefighters at a greater risk of injury or death.

2. The proposed ordinance is based on the National Manufactured Housing Construction and Safety Standards Act of 1974 adopted in June 1976, which addresses the serious health and safety issues inherent in earlier models.
3. It has been verified that when newer units burn, fires stay contained within the room of origin for a longer period of time, giving occupants and firefighters additional time to get to safety.
4. It is in the interest of the health and safety of mobile home residents and firefighters in Mariposa County that notice and information be provided the Mariposa County general public about the dangers inherent in mobile homes that do not meet the National Manufactured Housing Construction and Safety Standards Act, adopted in June, 1976.

ON MOTION BY Commissioner Skyrud, seconded by Commissioner DeSantis, this resolution is duly passed and adopted this 22nd day of July, 2005 by the following vote:

AYES: Ludington, Ross, Rudzik, Skyrud, DeSantis

NOES: None


EXCUSED: None

ABSTAIN: None



Robert L. Rudzik, Chair
Mariposa County Planning Commission

Attest:



Tracy Gauthier, Secretary to the
Mariposa County Planning Commission